

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:14-CR-176-1FL

UNITED STATES OF AMERICA,

v.

CHRISTOPHER LEE MARTIN,
Defendant.

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ORDER

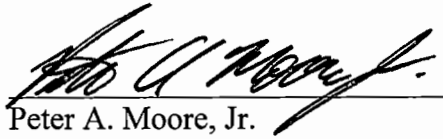
On July 31, 2017, the court received a motion to obtain free copies of documents filed by Christopher Lee Martin (“movant”) [DE-56] which was referred to the clerk by the presiding judge. Movant states that he has indigent and requests a copy of the plea agreement entered in his case, a transcript of his sentencing hearing, and “the substance of any oral statement made by the accused, w[h]ether before or after his arrest.” [DE-56] at 2.

The docket sheet in this action shows that on May 4, 2016, movant was sentenced to a term of imprisonment by the court. Subsequently, on June 15, 2016, the court issued an amended judgment. Movant did not file an appeal. The docket indicates that there are no other pending appeals or motions for relief from the judgment.

Federal inmates are not entitled to documents and materials at government expense for collateral attacks on their convictions, absent some showing of a particularized need. United States v. MacCollum, 426 U.S. 317, 326-27 (1976); United States v. Gallo, 849 F.2d 607 (Table), 1988 WL 60934, at *1 (4th Cir. May 31, 1988) (“Copies of transcripts and court records may be provided to an indigent litigant at government expense upon a showing by the litigant of a particularized need.”). “An indigent is not entitled to free copies ‘merely to comb the record in the hope of discovering some flaw.’” Gallo, 1988 WL 60934 at *1 (quoting United States v. Glass, 317 F.2d 200, 202 (4th Cir. 1963)).

As the docket sheet indicates, there are no pending appeals or motions for post-conviction relief. Accordingly, there are no current proceedings before the court that require the requested documents nor has movant identified the reasons these documents should be furnished to him. Consequently, his motion to obtain free copies [DE-56] is DENIED.

SO ORDERED. This the 2nd day of August, 2017.


Peter A. Moore, Jr.
Clerk of Court